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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,183	12/11/2001	Claudine Viegas Conrado	PHNL 000705	2699

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EXAMINER

LEWIS, CHERYL RENE A

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 03/26/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/014,183

Applicant(s)

CONRADO ET AL.

Examiner

Cheryl Lewis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/11/01 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-10 are presented for examination.

INFORMATION DISCLOSURE STATEMENT

2. The information disclosure statements filed on May 28, 2002, paper no. 5, complies with the provisions of MPEP § 609. They have been placed in the application file, and the information referred to therein has been considered as to the merits.

Drawings

3. The drawings are objected to because they fail to show necessary textual labels of features or symbols in Figures 1-2F, and 4. For example, placing a label, "Visual Shape", with element 102 of Figure 1, would give the viewer necessary detail to fully understand this element at a glance. A **descriptive** textual label for **each numbered element** in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be

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illustrated by symbols which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible."

Also, refer to the attached PTO-948.

PRIORITY

4. Applicant has complied and receives the benefit of priority of an earlier filing date under 35 U.S.C. 119(a-d) to European Patent Application 00204508.6 filed December 14, 2000.

ABSTRACT

5. At, line 10 of the abstract, the abstract makes reference to "Fig. 1". The examiner suggests the applicants remove "Fig. 1".

Specification

6. This application does not contain section headings within the specification as required by 37 CFR 1.77(b). The section headings are required.

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The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Hatlelid et al. (Pat. No. 6,522,333 B1 filed October 8, 1999, hereinafter Hatlelid).

9. Regarding Claim 1, Hatlelid teaches a remote communication through visual representations.

The method and associated system for a remote communication through visual representations as taught suggested by Hatlelid includes:

representing the user profile (col. 6, lines 13-19, figure 2, element 224) as a corresponding shape (col. 6, lines 3-6, figure 2, element(s) 232 'visual representation(s)') comprising at least one icon representing a content item (col. 6, lines 23-26, figure 2, elements 244 and 240), and guarding (col. 5, lines 13-22, col. 7, lines 1-3, col. 19, lines 47-67, col. 20, lines 1-10, col. 21, lines 20-44) the consistency between the user profile (col. 6, lines 13-19, figure 2, element 224) and the corresponding shape (col. 6, lines 3-6, figure 2, element(s) 232 'visual representation(s)').

10. Regarding Claim 2, Hatlelid teaches the consistency is guarded by changing the corresponding shape (figure 7, col. 11, lines 35-67, col. 12, lines 19-63, col. 15, lines 51-67, col. 16, lines 1-9 and 24-35) in dependence on a change in the user profile (figure 7, col. 11, lines 35-67, col. 12, lines 19-63, col. 15, lines 51-67, col. 16, lines 1-9 and 24-35).

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11. Regarding Claim 3, Hatlelid teaches the consistency is guarded by changing the user profile (figure 7, col. 11, lines 35-67, col. 12, lines 19-63, col. 15, lines 51-67, col. 16, lines 1-9 and 24-35) in dependence on a manipulation of the corresponding shape (figure 7, col. 11, lines 35-67, col. 12, lines 19-63, col. 15, lines 51-67, col. 16, lines 1-9 and 24-35).

12. Regarding Claim 4, Hatlelid teaches a user profile maintenance means (figure 7, element 720, col. 13, lines 52-65, col. 14, lines 26-36) for maintaining user profile (col. 6, lines 13-19, figure 2, element 224), visualization means (figure 1, element 120 'visual representation application module') for representing the user profile as a corresponding shape (col. 6, lines 3-6, figure 2, element(s) 232 'visual representation(s)') comprising at least one icon representing a content item (col. 6, lines 23-26, figure 2, elements 244 and 240) and consistency guarding means (col. 5, lines 13-22, col. 7, lines 1-3, col. 19, lines 47-67, col. 20, lines 1-10, col. 21, lines 20-44) for guarding the consistency between the user profile (col. 6, lines 13-19, figure 2, element 224) and the corresponding shape (col. 6, lines 3-6, figure 2, element(s) 232 'visual representation(s)').

13. Regarding Claim 5, Hatlelid teaches the consistency guarding means (col. 5, lines 13-22, col. 7, lines 1-3, col. 19, lines 47-67, col. 20, lines 1-10, col. 21, lines 20-44) are arranged for causing the visualization means (figure 1, element 120 'visual representation application module') to change the corresponding shape (figure 7, col. 11, lines 35-67, col. 12, lines 19-63, col. 15, lines 51-67, col. 16, lines 1-9 and 24-35) in dependence on the user profile maintenance means changing the user profile (figure 7,

col. 11, lines 35-67, col. 12, lines 19-63, col. 15, lines 51-67, col. 16, lines 1-9 and 24-35).

14. Regarding Claim 6, Hatlelid teaches the visualization means are arranged for removing an icon representing a content item from the shape (figure 7, "cancel", cancellation means) comprising an icon in response to the user profile maintenance means removing (figure 7, "cancel", cancellation means, col. 7, lines 25-53) the content item from the user profile.

15. Regarding Claim 7, Hatlelid teaches the user profile maintenance means (figure 7, element 720, col. 13, lines 52-65, col. 14, lines 26-36) are arranged for determining a subset of the content items (col. 6, lines 38-63, col. 8, lines 38-67) comprised in an existing user profile (col. 6, lines 13-19, figure 2, element 224), generating a new user profile (col. 4, lines 61-67, col. 5, lines 1-8 and 64-67, col. 6, lines 1-12) comprising a subset (col. 6, lines 38-63, col. 8, lines 38-67) and feeding the new user profile (figure 7, element 720, col. 13, lines 52-65, col. 14, lines 26-36) to the visualization means (figure 1, element 120 'visual representation application module') and the visualization means are arranged for visualizing a new shape (col. 5, lines 1-8 and 64-67, col. 6, lines 1-12, figure 2, element(s) 232 'visual representation(s)') corresponding to the new user profile (col. 4, lines 61-67, col. 5, lines 1-8 and 64-67, col. 6, lines 1-12) by visually splitting off the icons corresponding to the content items (figure 2B, elements 224, 240, 244, 246, 248, 252, 256) comprised in a subset (col. 6, lines 38-63, col. 8, lines 38-67) from the shape (col. 6, lines 3-6, figure 2, element(s) 232 'visual representation(s)') corresponding to the existing user profile (col. 6, lines 13-19, figure 2, element 224) and

visually forming the new shape (col. 5, lines 1-8 and 64-67, col. 6, lines 1-12, figure 2, element(s) 232 'visual representation(s)').

16. Regarding Claim 8, Hatlelid teaches guarding means (col. 5, lines 13-22, col. 7, lines 1-3, col. 19, lines 47-67, col. 20, lines 1-10, col. 21, lines 20-44) are arranged for causing the user profile maintenance means (figure 7, element 720, col. 13, lines 52-65, col. 14, lines 26-36) to change the user profile (figure 7, col. 11, lines 35-67, col. 12, lines 19-63, col. 15, lines 51-67, col. 16, lines 1-9 and 24-35) in dependence on the visualization means changing the corresponding shape (figure 7, col. 11, lines 35-67, col. 12, lines 19-63, col. 15, lines 51-67, col. 16, lines 1-9 and 24-35).

17. Regarding Claim 9, Hatlelid teaches the visualization means (figure 1, element 120 'visual representation application module') are arranged for showing an icon representing a content item (col. 11, lines 35-67, col. 12, lines 18-65), receiving an indication of a preference for the content item (col. 11, lines 35-67, col. 12, lines 18-65), adding the icon representing the content item to shape (col. 11, lines 35-67, col. 12, lines 1-9 and 18-65) the corresponding to the user profile (figure 7, col. 11, lines 35-67, col. 12, lines 19-63, col. 15, lines 51-67, col. 16, lines 1-9 and 24-35) and communication an indication to the user profile maintenance means (col. 11, lines 35-67, col. 12, lines 18-65), the user profile maintenance being arranged for adding the content to the user profile means (col. 11, lines 35-67, col. 12, lines 1-9 and 18-65).

18. Regarding Claim 10, Hatlelid teaches a processor (figure 1, element 108).

CONCLUSION

19. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

A. Kinebuchi (U.S. Pat. No. 6,208,976 B1) discloses an order management system with automatic menu updating;

B. Cameron et al. (U.S. Pat. No. 6,202,062 B1) discloses a system, method and article of manufacture for creating a filtered information summary based on multiple profiles of each single user; and

C. Handel et al. (U.S. Pat. No. 6,195,651 B1) discloses a system, method and article of manufacture for a tuned user application experience.

NAME OF CONTACT

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (703) 305-8750. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

(703) 746-5651 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Cheryl Lewis
Patent Examiner
March 15, 2004



JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100